

The Wisconsin Department of Transportation adopts an order to repeal TRANS 195.09(2); and amend TRANS 195.09(1) and (5) to (7), relating to fees for searching, verifying and certifying motor vehicle records.

ORDER ADOPTING RULE**Analysis Prepared by the Wisconsin Department of Transportation**

STATUTORY AUTHORITY: s. 227.11, Stats.

STATUTES INTERPRETED: ss. 19.32, 19.37, 341.17 and 342.09, Stats.

General Summary of Rule. Chapter Trans 195 establishes the Department of Transportation's administrative interpretation of several statutory provisions relating to fees and procedures for searching, verifying and certifying documentation contained in the records of the Division of Motor Vehicles. The current fees for search, verification and certification of driver records, motor vehicle title and registration records, and other Division of Motor Vehicle records set forth in ch. Trans 195 is \$3.00. This rule making will remove any references to fees for driver records, while such fees for driver records shall continue to be set forth in the statutes, and shall increase the fees for the search, verification and certification of motor vehicle title and registration records and other Division of Motor Vehicle records to \$5.00. Telephone accounts require a minimum fee, which is currently \$18 monthly (representing 6 vehicle records checked in a month). As the record fee increases to \$5, the minimum fee for telephone accounts will increase to \$30 monthly.

Fiscal Effect. The Department estimates that the number of vehicle record abstract requests will decline, as a result of fee increase (along with a decline resulting from implementation of the federal Driver Privacy Protection Act), from an annual level of 63,750 to 49,875. However, with the fee increase, revenue to the Transportation Fund is estimated to increase by \$58,125, from \$191,250 annually to \$249,375 annually. The Department estimates an additional \$9,000 annually from the fee increase for certification and verification of both driver license and vehicle records.

Telephone accounts require a minimum fee, which is currently \$18 monthly (representing 6 vehicle records checked in a month). As the record fee increases to \$5, the minimum fee for telephone accounts will increase to \$30 monthly. This change is accounted for within the revenue estimate cited above.

The Department estimates that there will be no fiscal impact from the promulgation of this rule on the liabilities of any county, city, village, town, school district, technical college district, or sewerage district.

Final Regulatory Flexibility Analysis. The rule will have negligible impact on small businesses. Vehicle record abstracts are generally obtained by attorneys and private investigators, towing companies, debt collectors, and similar businesses. While these businesses will be required to pay an increased fee, the number of vehicle record abstracts which any single business obtains is a very small number (about 50,000 vehicle records are accessed annually, in a statewide fleet of about 4.5 million vehicles). Thus, a \$2 per record fee increase will have negligible impact on any single business. The telephone account minimum fee, representing 6 vehicle records checked in a month, is accounted for within the numbers cited above.

About 2,500 certifications and verifications each year are requested, for vehicle records (out of a fleet of about 4.5 million vehicles). About 2,000 certifications and verifications of driver license records are requested each year (in a population of about 3.5 million drivers). Thus, a \$2 per certification/verification fee increase will have negligible impact on any single business.

Copies of Rule. Copies of the rule may be obtained upon request, without cost, by writing to Carson Frazier, Bureau of Vehicle Services, Room 253, P. O. Box 7911, Madison, WI 53707-7911, or by calling (608) 266-7857. Hearing-impaired individuals may contact the Department using TDD (608) 266-3096. Alternate formats of the rule will be provided to individuals at their request.

TEXT OF RULE

Under the authority vested in the state of Wisconsin, department of transportation, by s. 227.11, Stats., the department of transportation hereby amends a rule interpreting ss. 19.32, 19.37, 341.17 and 342.09, Stats., relating to fees for searching, verifying and certifying motor vehicle records.

SECTION 1. Trans 195.09(1) is amended to read:

Trans 195.09(1) ~~Except as provided in sub. (2), the~~ The fee for the search of each single record identified in ss. Trans ~~195.03,~~ 195.04 and 195.05, shall be ~~\$3.00~~ \$5.00.

SECTION 2. Trans 195.09(2) is repealed.

SECTION 3. Trans 195.09(5) to (7) are amended to read:

Trans 195.09(5) The fee for each certification of records as identified in s. Trans 195.07 shall be ~~\$3.00~~ \$5.00.

(6) The fee for each verification of records as identified in s. Trans 195.08 shall be ~~\$3.00~~ \$5.00.

(7) The minimum fee for any contractual telephone account established under s. Trans 195.10 shall be ~~\$18.00~~ \$30.00 per month.

(END OF RULE TEXT)

Effective Date. This rule shall take effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s. 227.22(2), Stats.

Signed at Madison, Wisconsin, this ____ day of October, 2001.

TERRY MULCAHY, P.E.
Secretary
Wisconsin Department of Transportation